

# Montana State Legislature

**2015 SESSION**

## **ADDITIONAL DOCUMENTS**

**Business Page**

**[Signed by Chairman]**

**Roll Call**

**Standing Committee Reports**

**Tabled Bills**

**Fiscal Reports**

**Rolls Call Votes**

**Proxy Forms**

**Visitor Registrations**

**\*Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

**\*Witness Statements that were not presented as exhibits.**

**Montana Historical Society Archives**

**225 N. Roberts**

**Helena MT 59620-1201**

**2015 Legislative**

**E-Document Specialist Susie Hamilton**

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
64th LEGISLATURE - REGULAR SESSION**

**HOUSE BUSINESS AND LABOR COMMITTEE**

**Date:** Thursday, March 12, 2015  
**Place:** Capitol

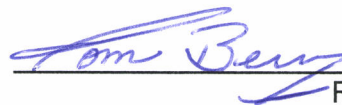
**Time:** 8:30 A.M.  
**Room:** 172

**BILLS and RESOLUTIONS HEARD:**

SB 192 - Amend insurance freedom of choice for practitioners - Sen. Robyn Driscoll  
SB 280 - Generally revise loan agreement statute of frauds laws - Sen. Frederick (Eric) Moore  
SB 281 - Generally revise consumer protection damage laws - Sen. Frederick (Eric) Moore

**EXECUTIVE ACTION TAKEN:**

**Comments:**



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REP. Tom Berry, Chair



*The Big Sky Country*

**MONTANA HOUSE OF REPRESENTATIVES  
BUSINESS & LABOR COMMITTEE**

**ROLL CALL**

**DATE:** March 12, 2015

NAME	PRESENT	ABSENT/EXCUSED
REP. TOM BERRY, CHAIRMAN	✓	
REP. DANIEL SALOMON, VICE CHAIR	✓	
REP. RYAN LYNCH, VICE CHAIR	✓	
REP. CHRISTY CLARK	✓	
REP. WILLIS CURDY	.	✓
REP. STEVE FITZPATRICK	✓	
REP. CHUCK HUNTER	✓	
REP. GEORGE KIPP III	✓	
REP. MIKE LANG	✓	
REP. DAVID (DOC) MOORE	✓	
REP. MARK NOLAND	✓	
REP. ANDREA OLSEN	✓	
REP. GORDON PIERSON		✓
REP. CHRISTOPHER POPE	✓	
REP. VINCE RICCI	✓	
REP. TOM RICHMOND	✓	
REP. SCOTT STAFFANSON	✓	
REP. TOM STEENBERG	✓	
REP. JEFFREY WELBORN	✓	

**19 MEMBERS**

**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE BUSINESS AND LABOR COMMITTEE**

**Thursday, March 12, 2015**

## SB 192 - Amend insurance freedom of choice for practitioners

**Sponsor: Sen. Robyn Driscoll**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**



**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE BUSINESS AND LABOR COMMITTEE**

**Thursday, March 12, 2015**

**SB 280 - Generally revise loan agreement statute of frauds laws**

**Sponsor: Sen. Frederick (Eric) Moore**

**PLEASE PRINT**

Name	Representing	Support	Oppose	Info
Steve Turkiewicz	MT Bankers	✓		
Andy O'Neill	Valley BANK	✓		
Al Smith	MTLA		X	
Rick & Pat Furland	Homeowner		X	
Nauna Peterson	Homeowner		X	
Theresa Bybee	Self		X	
Rob Ober	Self		X	
Elaine Dahl	MLSA		✓	
Kim Wilcox	Self		✓	
Stan Frasier	//		X	
Sheena Roe	Montana Organizing Project		X	
JERRY MEYER	SELF		X	
Kacey Olson	Self		X	
Ben Hursh	MT Bankers	✓		
Jim Brown	MTA	X		
Tom Rasmussen	Self		X	
WEBB BROWN	MT CHAMBER	X		
Arnee GRIMMER	MT Bankers Assoc.	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

## MONTANA House of Representatives Visitors Register

**Thursday, March 12, 2015**

## SB 281 - Generally revise consumer protection damage laws

Sponsor: **Sen. Frederick (Eric) Moore**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

3/11/2015

Rep. Moffie Funk  
PO Box 925  
Helena, MT 59624

**ADDITIONAL  
DOCUMENTS**

**Dear Representative Moffie Funk,**

I am writing as a concerned citizen of Montana about Senate Bills 280 and 281 and would like this letter to be used as testimony against these two bills. As a home owner and a consumer, I am concerned that if these bills pass consumers will have limited recourse in the event that fraud is committed. Fraud should never be tolerated, be it by individuals or business, and therefore consumers need legal remedies to right wrongs. It is uncontrollable that the state of Montana would offer special protections to the banking industry to protect them from lawsuits.

I have conducted business transactions for many years, and through those years I have learned some hard lessons. There have been times I have made verbal commitments that I wish I hadn't, but have stuck with those commitments because I believe in the value of a person's word. I suspect that many Montanans feel the same way, that if a company or person tells us something that we can take their word. Unfortunately, SB 380 and 381 would further undermine business relationships and transaction honesty.

This bill is being presented by Senator Eric Moore as a bill that will protect free flowing information between a lender and borrower when negotiating lending terms. If that is what this bill was really about, it would be a solution looking for a problem. That is not what this bill is about; this bill is designed to protect unscrupulous lenders from lawsuits. These lenders are deliberately giving consumers wrong, misleading information, and it appears there is a pattern to mislead consumers. Many lending institutions have been found guilty of wrong doing by Federal Government, and the problems don't seem to have stopped. Perhaps if these lenders were to conduct themselves appropriately they would not be sued.

Apparently, the deceptive practices by the Banking Industry are not only confined to the consumers, as Kenneth Lay did not fully divest his interest in these bills when he testified before the Senate, thus deceiving the Senate.

I would like the members of the House Business and Labor Committee to vote against these two bills. As a voting citizen of Montana, I implore the House of Representatives, the "People's House", to vote to protect Montana Consumers from fraud, and for those who have been affected by fraud to have a legal recourse. Please put the citizens of Montana first when considering this bill

Sincerely,

Gerald Zeigler  
Citizen of Montana  
1050 Mill Road  
Helena, MT 59602

12/10/1944  
12/10/1944



## ADDITIONAL DOCUMENTS

To each member of the House Business and Labor Committee  
RE: Senate Bills #280 and 281

The Senators who voted to advance these bills must have lost their moral compass! SB 280 nullifies the Montana Supreme Court efforts to support distressed home owners trying to negotiate with banks that can care less if they lose their homes or not. The court ruling keeps the banks on the hook, who would be subject to litigation. SB 281 limits the amount of damage a wronged borrower can sue for fraud.

The passage of these two bills, allows banks to steam roller over home owners who get in the way, trying to get a fair shake. In fact with all the banks Robo-signing of mortgages without examining the loans, it's hard to tell how many times the contracts were sold and resold, or where they finally ended up. The Montana Attorney General recieved over 1500 phone calls and written complaints from Montanans regarding mortgages, and interestingly enough, only three involved Montana banks, the rest were scattered to the winds.

When the Billings Gazette tried to have some questions answered by the lawyer who represented Bank of America in the Supreme Court case, as above, they were told "You need to shut up dude, I'm not interested in answering your questions." — Neat guy huh?

Please don't prove me wrong, but I believe the House has more compassion and common sense than the Senate and you will vote to stop these two train wrecks, and kill or lobbe them. (C)

Duck Schottlaender, 830 Bender Rd. Bldg 59101  
406-259-9158

